



TEMPORARY
THE STATE OF NEVADA

**PERMIT TO CHANGE THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Name of Permittee: EP MINERALS, LLC
Source: UNDERGROUND
Basin: LOVELOCK VALLEY
Manner of Use: MINING AND MILLING
Period of Use: ONE YEAR FROM DATE OF ISSUANCE.
Priority Date: 03/28/1975

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit, to change the point of diversion of the waters of an underground source as heretofore granted under Permit 87089, is issued subject to the terms and conditions imposed in said Permit 87089 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

The total combined duty of water under Permit 18091, Certificate 5238; Permit 24074, Certificate 7558; and Permit 89294T shall not exceed 1,052.44 acre-feet annually.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire 1 year after the approval of the permit at which time all rights herein granted shall revert to the right being changed by this temporary permit.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The point of diversion and place of use are as described on the submitted application to support this permit.

(Continued on Page 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **not to exceed 0.698 cubic feet per second and 505.21 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

N/A

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

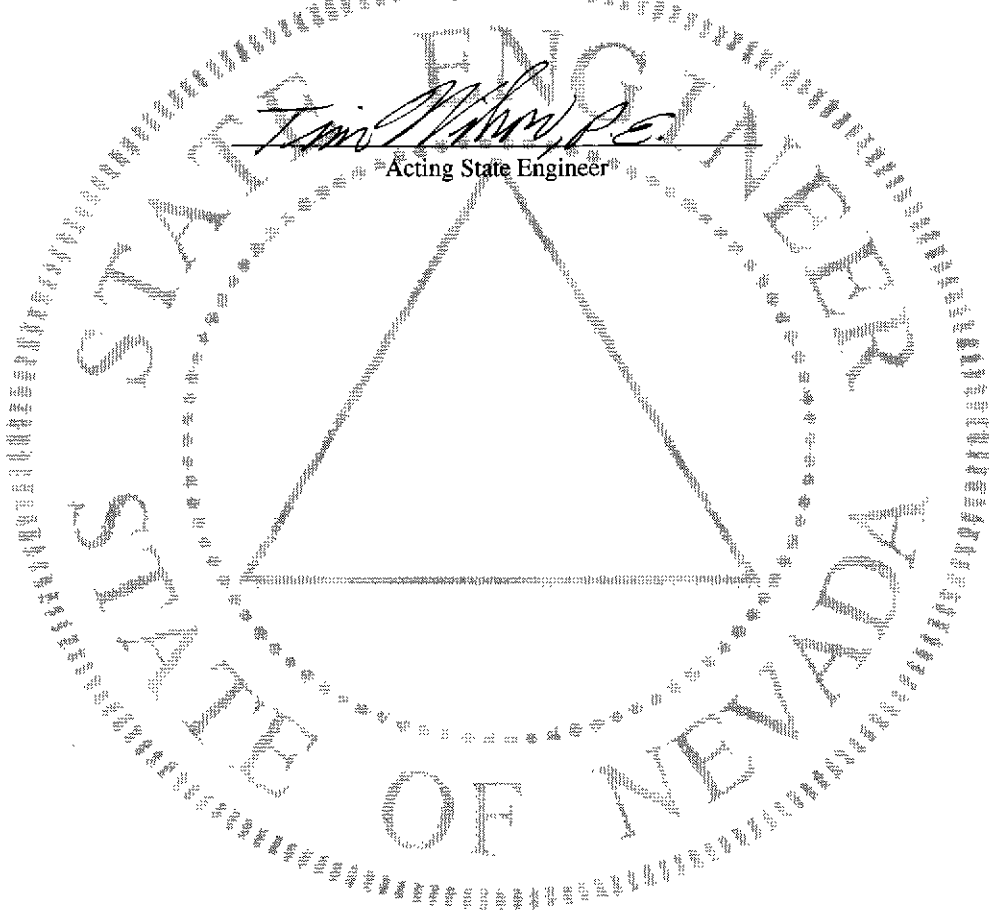
N/A

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, TIM WILSON, P.E.,

Acting State Engineer of Nevada, have hereunto set my hand
and the seal of my office, this 6th day of **November, 2019**



**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS
OF THE STATE OF NEVADA HERETOFORE APPROPRIATED**

| | |
|---|--|
| THIS SPACE FOR OFFICE USE ONLY | |
| Date of filing in State Engineer's Office | <u>OCT 28 2019</u> |
| Returned to applicant for correction | _____ |
| Corrected application filed | Map filed <u>Oct. 28, 2019 Under 89293</u> |

The applicant EP Minerals, LLC
220 S. Rock Blvd, Suite 7 of Reno
Street Address or PO Box City or Town
NV 89502 brad.barney@ussilica.com
State and ZIP Code E-mail Address

hereby make(s) application for permission to change the
☒ Point of diversion ☐ Place of use ☐ Manner of use ☐ of a portion
of water heretofore appropriated under (Identify existing rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)
Permit 87089

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 2019 OCT 28 PM 4:20
 STATE ENGINEER'S OFFICE

1. The source of water is Underground
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 0.698 CFS, 505.21 AFA
Give diversion rate in cubic feet per second (CFS) AND duty in acre-feet annually (AFA).
3. The water to be used for Mining and Milling
Irrigation, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use
4. The water heretofore used for Mining and Milling
If for stock, state number and kind of animals.
5. The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey and by course and distance to a found section corner. If on unsurveyed land, it should be stated.)
within the NE¼ SW¼ of Section 33, T. 28 N., R. 32 E., M.D.B.&M., or at a point from which the SW corner of said Section 33 bears S. 41° 8' 49.63" W., a distance of 3,273.7 feet. (See accompanying map)
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
within the NE¼ SW¼ of Section 33, T. 28 N., R. 32 E., M.D.B.&M., or at a point from which the S¼ Corner of said Section 33, bears S. 12 degrees 14' 30" E., a distance of 2,086.72 feet. (See map filed under 18091)

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7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)
within portions of the following: SW¼ NE¼, SE¼ NW¼, NW¼ SE¼, and the NE¼ SW¼ of Section 33, all within
T. 28 N., R. 32 E., M.D.B.&M.
 (Place of use is un-changed. See Map Filed Under 18091)

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)
within portions of the following: SW¼ NE¼, SE¼ NW¼, NW¼ SE¼, and the NE¼ SW¼ of Section 33, all within
T. 28 N., R. 32 E., M.D.B.&M.
 (Place of use is un-changed. See Map Filed Under 18091)

9. Proposed use will be from January 1st to December 31st of each year.
 Month and Day Month and Day

10. Existing use permitted from January 1st to December 31st of each year.
 Month and Day Month and Day

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e., diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.)

New 10" diameter well is proposed. Will need to install pump, meter, water lines, electrical, and headworks.

12. Estimated cost of works \$75,000

13. Estimated time required to construct works 2 months

If well completed, describe well

14. Estimated time required to complete the application of water to beneficial use 1 year

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Failure to provide a detailed description may cause a delay in processing.)

A new well is required as the current existing well does not have sufficient production for all three water rights. Three water rights are currently permitted for use out of the existing Point of Diversion: Permit 18091 / Cert. 5238; Permit 24074, Cert. 7558; and Permit 87089. A permanent change application to move all 0.698 CFS / 505.21 acre-feet annually under Permit 87089 from the existing well to the new proposed well to be drilled is being filed at the same time as this temporary change app. Both Permits 18091 and 24074 will remain the existing POD (existing well).

16. Miscellaneous remarks:

EP Minerals, LLC would like to drill the proposed well immediately to not slow down plant operations. This Temporary Change Application is an identical copy of a permanent change application being filed at the same time to allow immediate drilling of the proposed well. No domestic wells are located within 2,500 feet of the proposed new well location.

chris@stankaconsulting.com

E-mail Address

(775) 885-9283

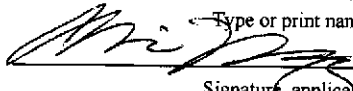
Phone No.

Ext.

APPLICATION MUST BE SIGNED
 BY THE APPLICANT OR AGENT

Christopher G. Moltz, P.E., W.R.S.

Type or print name clearly



Signature, applicant or agent

Stanka Consulting, LTD

Company Name

3108 Silver Sage Dr, STE 102

Street Address or PO Box

Carson City, NV 89701

City, State, ZIP Code